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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 3:21-CR-306-EMC
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER TO CONTINUE BRIEFING
v.)	SCHEDULE
)	
LUIS TZUN-MAGANA,)	
)	
Defendant.)	

On January 26, 2022, Mr. Tzun-Magana filed his motion to dismiss the complaint. (Dkt. 32). Mr. Tzun-Magana's motion was originally due on October 13, 2021, but the parties stipulated to, and the Court granted, two extensions on October 6 and December 6, 2021. (Dkts. 17 and 28). The Court also granted Mr. Tzun-Magana's motion to file an oversized brief. (Dkt. 35). The government's response is currently due on March 2, 2022. Mr. Tzun-Magana's reply is due on March 16, 2022. And the Court has set a motion hearing for May 4, 2022 at 2:30 pm.

After reviewing Mr. Tzun-Magana's brief in support of his motion to dismiss, the government has determined that it requires additional time to prepare its response. The additional time is required because of the length of Mr. Tzun-Magana's brief and supporting filings and the nature of the claims

1 raised. In addition, counsel for the government is scheduled to be in trial February 22 through February
2 25. Mr. Tzun-Magana remains out of custody.

3 The parties to the above-captioned matter therefore hereby stipulate and respectfully request that
4 the Court set the following briefing schedule:

- 5 1. The government will file its response by March 30, 2022.
- 6 2. Mr. Tzun-Magana will file his reply by April 18, 2022.
- 7 3. A hearing on the motion will take place on May 4, 2022, or at another time convenient for
8 the Court.

9 **IT IS SO STIPULATED.**

STEPHANIE M. HINDS
United States Attorney

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12 Dated: February 18, 2022

/s/

EVAN M. MATEER
Special Assistant United States Attorney

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14
15 Dated: February 18, 2022

/s/

GABRIELA BISCHOF
Counsel for LUIS TZUN-MAGANA

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17
18 **~~[PROPOSED]~~ ORDER**

19 Based on the reasons provided in the stipulation of the parties above, and for good cause shown,
20 the Court hereby continues the briefing schedule for Mr. Tzun-Magana's motion to dismiss. The
21 government will file its response by March 30, 2022. Mr. Tzun-Magana will file his reply by April 18,
22 2022. A hearing on the motion will take place on May 4, 2022 at 2:30pm.

23
24 **IT IS SO ORDERED.**

25
26 Dated: February 23, 2022



HON. EDWARD M. CHEN
United States District Judge